

UNITED STATES DISTRICT COURT  
DISTRICT OF MINNESOTA

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Manetirony Clervrain,

Case No. 19-cv-0965 (WMW/HB)

Plaintiff,

**ORDER ADOPTING REPORT AND  
RECOMMENDATION**

v.

Mark Dayton et al.,

Defendants.

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This matter is before the Court on the May 8, 2019 Report and Recommendation (R&R) of United States Magistrate Judge Hildy Bowbeer. (Dkt. 9.) The R&R recommends dismissing Plaintiff Manetirony Clervrain's complaint without prejudice for failure to prosecute. *See* Fed. R. Civ. P. 41(b). No timely objections to the R&R have been filed.<sup>1</sup> In the absence of timely objections, this Court reviews an R&R for clear error. *See* Fed. R. Civ. P. 72(b) advisory committee's note to 1983 amendment ("When no timely objection is filed, the court need only satisfy itself that there is no clear error on the face of the record in order to accept the recommendation."); *Grinder v. Gammon*, 73 F.3d 793, 795 (8th Cir. 1996) (per curiam). Having reviewed the R&R, the Court finds no clear error.

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<sup>1</sup> Clervrain filed a letter with the Court on May 20, 2019, explaining that he was transferred to a different prison facility and seeking extensions of time as to any orders that he had not received. This letter does not preclude the Court from adopting the R&R. There is no indication that any order or R&R was returned to the Court as undeliverable. And Clervrain's letter fails to rectify or even address the lack of filing fee that was the basis of the magistrate judge's recommendation to dismiss for failure to prosecute.

Based on the R&R and all the files, records and proceedings herein, **IT IS HEREBY ORDERED:**

1. The May 8, 2019 R&R, (Dkt. 9), is **ADOPTED**.
2. Plaintiff Manetirony Clervrain's complaint, (Dkt. 1), is **DISMISSED WITHOUT PREJUDICE**.

LET JUDGMENT BE ENTERED ACCORDINGLY.

Dated: August 9, 2019

s/Wilhelmina M. Wright  
Wilhelmina M. Wright  
United States District Judge